



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,194	04/13/2001	Shigetsugu Okamoto	55807 (70904)	5343
21874	7590	03/03/2004	EXAMINER	
EDWARDS & ANGELL, LLP			SHAPIRO, LEONID	
P.O. BOX 55874				
BOSTON, MA 02205			ART UNIT	PAPER NUMBER
			2673	15

DATE MAILED: 03/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/835,194

Applicant(s)

OKAMOTO ET AL.

Examiner

Leonid Shapiro

Art Unit

2673

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☒ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). 11,13.
10. ☐ Other: \_\_\_\_\_

Continuation of 5. does NOT place the application in condition for allowance because:

On 2nd page, 3rd paragraph of Response to Office Action, Applicant stated that Tadashi fails to remedy the deficiencies of the Lee reference to teach image reproduction method in which the image reproduced so that maximum output brightness of pixel varies with accordance with the average signal level. However, in the same and next paragraphs, Applicant admitted that memories that damma compensation memories carried whole range of brightness (maximum output brightness in Applicant's claimed invention) in relation to APL signals (the average signal level in the Applicant's claimed invention).

On the same page, last paragraph Applicant's stated, the maximum output brightness and the input signal-output brightness are independent properties. However, in Applicant's invention the maximum output brightness and the input signal-output brightness (See Fig. 1, items 2-3) are also independent properties and have different paths. Moreover, Tadashi also teaches that 2 memories could be extended to 3 or more(n) memories (See in Detail Description page 4, paragraph 21). This extension pointed to reproduction the image so that maximum output brightness of a pixel of the display apparatus varies in accordance with the average signal level (APL) and selected memory.

On next page, 2nd paragraph, the Applicant i stated, that Tadashi does not teach or suggest a method of control ling a maximum brightness level. However, Tadashi teaches to use different correction memories in accordance with average signal level (See Drawings 1-3, items 12,14,16,30,32,34,40,44, in Detail Description See from page 3, paragraph 0016 to page 4, paragraph 0021). Tadashi teaches to select 1st and 2nd correction memories based on APL level (See Drawing 1, items 40 and 42) which will have higher (whiter) and lower (blackier) values for each pixel. Tadashi also teaches that 2 memories could be extended to 3 or more(n) memories (See in Detail Description page 4, paragraph 21). This extension pointed to reproduction the image so that maximum output brightness of a pixel of the display apparatus varies in accordance with the average signal level (APL). Therefore, the multiple memories and comparators in extended Tadashi would accommodate the changes in APL for each pixel. The application of the look-up tables is nor reflected in the claims, well known in the art and could be used in Tadashi reference with multiple memories.

The rest of the Response to Office Action is dedicated to show that Lee reference does not teach the an image is reproduced such that the maximum output brightness of the image varies in accordance with an average signal level. However, on pae 2, 2nd paragraph stated already, that Lee fails to teach or suggest an image display apparatus in which the image is reproduced so that maximum output brightness of a pixel varies in occordance with the average signal level.



**VIJAY SHANKAR**  
**PRIMARY EXAMINER**